

DENMARK

Name of Regulatory Authority The Radio And Television Board
Address Vognmagergade 10, DK-1120 Copenhagen K, Denmark

Phone +45 33 18 68 68
Fax +45 33 18 68 69
E-mail rtv@mediesekretariat.dk
Homepage www.mediesekretariat.dk

Basis for operation

Legal framework The Radio and Television Broadcasting Act No. 1052 of December 17, 2002 with the amendments pursuant to Act No. 439 of June 10, 2003

General remit TV radio networks and infrastructures
 Others (please specify)

Funding mechanisms ⁱ licence fee industry fee state budget
 mixed funding (please specify): Licence fee, Industry fees and state budget
 other (please specify):

Composition

Number of members: 7 Term of office: 4 years (the Re-election possible:
(Present Board till 31st December 2004)

Proposal of members: *No proposal before the minister's decision*

Appointment of members: *The minister appoints the 7 members, who together represent expertise in legal, financial/administrative, business and media/cultural affairs*
Minister for Culture

Revocation of mandate possible: no based on: *<please state the possible reasons for revocation of the mandate>*

Number of staff: 10 (Director General: Erik Nordahl Svendsen)

Chairman: The appointed chairman, Mogens Koktvedgaard, died in June 2003. Since then the Board has only had 6 members, as the Minister for Culture has not yet appointed a new chairman, which he is expected to do before long.

Vice Chairman: Hans Henrik Brydensholt (Acting chairman)

Please describe your authority's structure if it does not have a board:

Competences

		national	regional	local
Granting of licences	terrestrial analogue broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	terrestrial digital broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	satellite analogue broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	satellite digital broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	cable analogue broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	cable digital broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Others (please specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

In the areas where your authority is not competent to grant licences, please specify the authority in charge: Local licences are granted by local boards (covering one or more municipalities)

Please add any other relevant information:

Cable and satellite broadcasters only have to register, not apply for a licence. The Broadcasting Act does not distinguish between analogue and digital satellite/cable broadcasting

The public service broadcasters either broadcast according to the Radio and Television Broadcasting Act (DR) or is granted a license by the Ministry for Culture (TV 2)

According to the Broadcasting Act the Radio And Television Board will grant licenses to terrestrial digital broadcasters (none granted so far)

Granting of registrations	terrestrial analogue broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	terrestrial digital broadcasters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	satellite analogue broadcasters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	satellite digital broadcasters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	cable analogue broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	cable digital broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Others (please specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

In the areas where your authority is not competent to grant registrations, please specify the authority in charge:

Please add any other relevant information:

Frequency allocation (for local broadcasting after

negotiation with the National Telecom Agency – the Board allocate frequencies to the local areas, but the actual frequency-licences are granted by the National Telecom Agency)

Supervision of	private broadcasters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> (the local boards supervise local broadcasters that do no network)
	public broadcasters	<input checked="" type="checkbox"/> (limitations)	<input checked="" type="checkbox"/> (limitations)	
	others	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Handling complaints

Sanctioning

<input checked="" type="checkbox"/> issue warning	<input checked="" type="checkbox"/> impose fine on TV 2 (the private public broadcaster), according to special agreement between the Minister for Culture and TV 2. The fine can be imposed for violation of certain conditions according to the licence, specified in the agreement. Otherwise the Board can make a complaint to the police for violation of the Broadcasting Act or Executive Orders. The police decides whether to go through with the case, which might result in a fine being imposed on the station violation the Act or Order. (This hardly ever happens)	<input checked="" type="checkbox"/> demand to broadcast announcement (only matters about the contents of advertising)
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revoke licence (only when the Board revoke licence) or a local board has granted the licence)

suspend licence (same as reduction in the licensing period)

suspend a programme / broadcast

other (please specify): The Board can recommend to the Minister for Culture that TV 2's (the private public broadcaster) license is suspended or revoked, if TV 2 violates the Act or Executive Orders laid down according to the act, or conditions according to the license

Rule making codes rules (please specify):

Consultative powers

According to the Radio and Television Broadcasting Act the Radio and Television Board shall offer advice to the Minister for Culture on matters concerning radio and television

Power of nomination please specify:

(e.g. chairman of PSB)

Monitoring programming
 financial performance
 others (please specify):

Others Please specify:

Please add any information you deem important:

The Board handles matters about the contents of programmes, advertising and sponsoring. Decisions made by local boards, not to grant a licence, or to suspend or revoke a licence, can be appealed to the Radio And Television Board

The Board also administers public grants for non-commercial local broadcasters

¹ By "licence fee" we refer to the public service licence fee usually paid by the entire population, whereas the term "industry fee" implies all those funding mechanisms based on a contribution from broadcasters themselves, including, for example, licensing fees (i.e. an amount of money that is paid by the broadcaster for it to be able to carry out its broadcasting operations) and frequency taxes.